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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/981,500	NAULLEAU, PATRICK P.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Arnel C. Lavarias	2872	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/5/05.
2. ☒ The allowed claim(s) is/are 1,3-5,7-9,11,13,15-16,18-21,23-30,32-38 (renumbered 1-30).
3. ☒ The drawings filed on 12 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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| <ol style="list-style-type: none"><li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li><li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li><li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li><li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li></ol> | <ol style="list-style-type: none"><li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li><li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li><li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li><li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li><li>9. <input type="checkbox"/> Other _____</li></ol> |
|--|--|

  
**THONG NGUYEN**  
**PRIMARY EXAMINER**  
**GROUP 2800**

## **DETAILED ACTION**

### ***Terminal Disclaimer***

1. The terminal disclaimer filed on 1/5/05 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. 6,768,567 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### ***Response to Amendment***

2. The amendments to Claims 1, 3, 11, 13, 21, 23, and 30 in the submission dated 1/5/05 are acknowledged and accepted.
3. The cancellation of Claims 2, 12, 22, and 31 in the submission dated 1/5/05 is acknowledged and accepted.

### ***Response to Arguments***

4. In view of the submission of the terminal disclaimer filed 1/5/05, the double patenting rejections of Claims 1-5, 11-13, 15-16, 21-26, 30-35 in Section 8 of the Office Action dated 9/2/04 are respectfully withdrawn.
5. The Applicant's arguments, see in particular Pages 9-11 of Applicant's remarks, filed 1/5/05, with respect to the rejections of Claims 1, 11, 21, and 30, have been fully considered and are persuasive. The rejections of Claims 1-5, 7-9, 11-13, 15-16, 18-38 in Sections 10-19 of the Office Action dated 9/2/04 have been withdrawn.

***Allowable Subject Matter***

6. Claims 1, 3-5, 7-9, 11, 13, 15-16, 18-21, 23-30, 32-38 are allowed.

**REASONS FOR ALLOWANCE**

7. The following is an examiner's statement of reasons for allowance:

Claims 1, 11, 21, and 30 are allowable over the cited art of record for at least the reason that the cited art of record fails to teach or reasonably suggest a lithographic illuminator device for an optical image processing system requiring partially coherent light, and a method of modifying the coherence of a beam of extreme ultraviolet radiation from a synchrotron source, as generally set forth in Claims 1, 11, 21, and 30, the device and method both including, in combination, a synchrotron source; reflective optics to receive radiation from the synchrotron source; a single holographic diffuser comprising a reflection grating; means for translating the surface of the holographic diffuser linearly in two dimensions along a plane parallel to the surface of the diffuser; a condenser optic that re-images the surface of the diffuser to a reticle positioned at the entrance plane of the imaging processing system; and filtering means to block at least the zero order radiation from reaching the condenser optic. Claims 3-5, 7-9, 13, 15-16, 18-20, 23-29, 32-38 are variously dependent on Claims 1, 11, 21, and 30, and hence are allowable for at least the same reasons that Claims 1, 11, 21, and 30 are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany

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the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

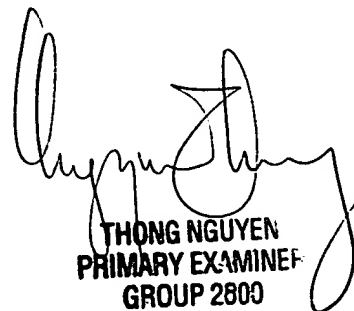
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arnel C. Lavarias whose telephone number is 571-272-2315. The examiner can normally be reached on M-F 9:30 AM - 6 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Arnel C. Lavarias  
3/21/05



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